

COMPATIBILITY DETERMINATION
Selawik National Wildlife Refuge
Helicopter-supported Geologic Data Reconnaissance

Use: Scientific Collecting/Civilian Helicopter Landings (Gathering surface coal and lignite data)

Refuge Name: Selawik National Wildlife Refuge

Establishing and Acquisition Authority(ies):

In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) (section 302) established the Selawik National Wildlife Refuge.

Refuge Purpose(s):

ANILCA identifies the purposes for which each refuge in Alaska was established. The purposes of the Selawik National Wildlife Refuge are described in Section 302(7)(B). These purposes include:

"... (i) To conserve the fish and wildlife populations and habitat in their natural diversity including, but not limited to, the Western Arctic caribou herd (including participation in coordinated ecological studies and management of these caribou), waterfowl, shorebirds and other migratory birds, and salmon and sheefish. (ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats; (iii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents; and (iv) to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and necessary water quantity within the refuge." 94 Stat. 2387, dated Dec. 2, 1980. (Alaska National Interest Lands Conservation Act)

National Wildlife Refuge System Mission:

The mission of the National Wildlife Refuge System is "to administer a national network of lands and waters for the conservation, management, and, where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans." (National Wildlife Refuge System Administration Act, as amended)

Description of Use:

The Bureau of Land Management, the U.S. Geological Survey and the Alaska Department of Geological and Geophysical Surveys requested authorization for helicopter access to locations within the Selawik National Wildlife Refuge for geologic fieldwork. They propose to fly daily helicopter trips from Kotzebue, Alaska to outcrops within the boundaries of the refuge where they will land and gather reconnaissance data on the coal potential. Weather permitting, an estimated two landings per site, or a total of four landings will occur on refuge lands over a two to four day period. No flights are scheduled, nor will any be authorized to access the Selawik Wilderness Area, some 15 miles to the east of the proposed locations. Site visits will consist of outcrop measurements and surface sampling of coal or lignite deposits in the Hockley Hills and Singauruk coal occurrences. A total of approximately 40 pounds (cumulative) of material will be collected from both sites. These locations are within Selawik D-3 quadrangle including Township 17 North, Range 8 West, Sections 16 and 21, and Township 16 North, Range 8 West, Sections 13 and 14. These sites were initially visited during a similar investigation in 1982.

This field investigation is to identify coal beds as an initial part of the Rural Alaska Energy Studies program, under a cooperative agreement between the Bureau of Land Management, the U.S. Geological Survey and the Alaska Department of Geological and Geophysical Surveys. The ultimate outcome of this program is to

determine the feasibility of bringing natural gas to rural Alaska villages. This summer's work will be an initial base line study determining if appreciable coal deposits exist in the Selawik basin, their approximate volume (i.e., number of, extent and thickness) and possibly some of the coal's inherent properties such as rank, gas adsorption/desorption capacity and cleat orientation. The proposed schedule for the activities is between August 26 and September 10, 2002.

This compatibility determination (CD) addresses only the helicopter access and preliminary geologic surface sampling in the identified areas. Further sampling identified in the initial phase of the Rural Alaska Energy Studies program, and any proposed mineral extraction would require a separate CD.

Availability of Resources:

A minimal amount of administrative staff time and budget is needed to authorize the proposed field site visits. Administrative staff time primarily involves phone conversations, written correspondence, review of proposed activities, interaction with the study participants, and permit issuance. A minimal amount of field work and costs are needed to monitor the use for compliance with the terms of the permit.

Anticipated Impacts of the Use:

The proposed site visits would be a short-term and incidental use, and impacts associated with the proposed activities are anticipated to be minimal and insignificant. Helicopter use could potentially render some short term minor disturbance to wildlife resources and/or local subsistence users, if any are present in the immediate vicinity, during the time of helicopter use. In light of the season (i.e., late August or early September) and short period of proposed use, we do not expect subsistence users or any significant numbers or concentrations of wildlife to be present in the immediate vicinity of the use area. In addition, the Refuge permit will include provisions that restrict helicopter operations that might disturb or harass wildlife. The site visits will not result in any significant disturbance or damage to fish, wildlife or habitat. Only minimal amounts of brushing and/or soil testing are involved, and all such activities will be done with hand tools. The refuge permit will include conditions indicated below that will further ensure impacts from the proposed use are insignificant.

The lands where this activity would occur are federal lands within the boundary of the Selawik National Wildlife Refuge which have been selected by either Kikiktagruk Inupiat Corporation(KIC) and/or NANA Regional Corporation for conveyance under provisions of the Alaska Native Claims Settlement Act. T17N, R8W, Sections 16 and 21 have been selected by NANA. Both KIC and NANA selected Sections 13 and 14 in T16N, R8W. KIC and NANA are familiar with this project and do not object to this activity. However, the permittee will be advised to avoid native allotment located outside the proposed sampling area, but within 1/4 mile of the northern intersection of Sections 13 and 14 in T16N, R8W.

Public Review and Comment:

The Refuge considers the proposed use to constitute a minor and short-term use with proven history of little impact. A notice was posted on August 21, 2002, at the Selawik Refuge headquarters, Building 160, 2nd Avenue, Kotzebue, Alaska. In addition this compatibility determination is available for review on the U.S. Fish and Wildlife Service Regional compatibility webpage at <http://www.r7.fws.gov/compatibility/index.html>.

Determination (check one below):

☐ Use is Not Compatible

X Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. Failure to abide by any part of this special use permit; violation of any refuge related provision in Titles 43 (Part 36) or 50 (sub-chapters B&C) Code of Federal Regulations; or violations of any pertinent state regulation (e.g. fish or game violation) will with due process, be considered grounds for revocation of this permit and could result in the denial of future permit requests for lands administered by the U.S. Fish and Wildlife Service. This provision applies to all persons working under the authority of the permit (e.g., assistants). Appeals of decisions relative to permits are handled in accordance with Title 50 Code of Federal Regulations Part 36.41.
2. The permittee is responsible for ensuring that all employees, party members, aircraft pilots, and any other persons working for the permittee and conducting activities allowed by this permit are familiar with and adhere to the conditions of this permit.
3. Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager, Alaska Department of Fish and Game, and be salvaged in accordance with State regulations.
4. The permittee and permittee's clients do not have the exclusive use of site(s) or lands covered by this permit.
5. This permit may be cancelled or revised at any time by the refuge manager in case of emergency (e.g. high fire danger, flooding, unusual resource situations, etc.).
6. The permittee or party chief shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completion of activities allowed by this permit.
7. Prior to beginning any activities allowed by this permit, the permittee shall provide the refuge manager with: (1) name and method of contact for the field party chief/supervisor; aircraft and other vehicle types to be used, identification information for these vehicles; and names of assistant guides and helpers (2) any changes in information provided in the original permit application.
8. In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historic artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, recent, ethnological, or archaeological specimens or artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, recent, ethnological, or archaeological specimens or artifacts is prohibited.
9. Permittees shall maintain their use area in a neat and sanitary condition. All property (except cabins and/or tent frames) of the permittee must be removed from refuge lands upon completion of permitted activities.
10. The construction of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
11. The use of off-road vehicles (except snowmachines) is prohibited.
12. The operation of aircraft at altitudes and in flight paths resulting in herding, harassment, hazing, or driving of wildlife is prohibited. It is recommended that all aircraft, except for taking-off and landing, maintain a minimum altitude of 2000 above ground level (AGL). Flying below 2000 feet is acceptable for the survey work.

13. The use of helicopters is authorized, provided that:

A) Landing is prohibited except for the direct support of the activity covered by this permit and emergencies. No recreational use of the helicopter is permitted.

(B) Clearing of vegetation for landing/take-off is prohibited

14. Fuel caches are prohibited.

15. The permittee will provide the refuge manager with a copy of the trip report and photographs of the site visit, and GPS survey coordinates from the survey on a small scale map within 30 days of permit expiration. Permittee will also provide the refuge manager a copy of the report for this project upon its completion.

Justification:

The proposed activities constitute minor, short-term use of refuge lands with minimal potential impacts to refuge fish and wildlife resources or other users. Permit conditions will further ensure that impacts are avoided or minimized.

Mandatory Re-Evaluation Date (provide month and year:

_____ **Mandatory 15 year Re-Evaluation Date (for priority public uses)**

08/12 **Mandatory 10 year Re-Evaluation Date (for all uses other than priority public uses)**

NEPA Compliance for Refuge Use Decision (check one below)

X **Categorical Exclusion without Environmental Action Statement**

_____ **Categorical Exclusion and Environmental Action Statement**

_____ **Environmental Assessment and Finding of No Significant Impact**

_____ **Environmental Impact Statement and Record of Decision**

Signature: Refuge Manager:

(Signature and Date)

22 Aug '02

Concurrence: Regional Chief:

(Signature and Date)

8/29/02